

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE GIGACLOUD TECHNOLOGY INC
SECURITIES LITIGATION
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23-CV-10645 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On May 17, 2024, Defendants GigaCloud Technology Inc, Larry Lei Wu, Iman Schrock, Xin Wan, and Aegis Capital Corp (the “Moving Defendants”) filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), Plaintiffs have twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.


Accordingly, it is hereby ORDERED that, notwithstanding the briefing schedule adopted on January 19, 2024, ECF No. 54, Plaintiffs shall file any second amended complaint by **June 7, 2024**. Plaintiffs will not be given any further opportunity to amend to address issues raised by the motion to dismiss.

If Plaintiffs do amend, by three (3) weeks after the second amended complaint is filed, the Moving Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that they rely on the previously filed motion to dismiss. If the Moving Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If the Moving Defendants file a new motion to dismiss or indicate that they rely on their previously filed motion to dismiss, any opposition shall be filed **within 60 days**, and any reply shall be filed **within 30 days** of any opposition.

If no amended complaint is filed, the existing briefing schedule shall remain in effect, pursuant to which Plaintiffs shall file any opposition to the motion to dismiss by **July 16, 2024**, and the Moving Defendant shall file any reply by **August 15, 2024**. See ECF No. 54.

SO ORDERED.

Dated: May 20, 2024
New York, New York



JESSE M. FURMAN
United States District Judge